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Leveraging Externship Opportunities to Provide Benchmark Experiences and Skills for Practice

by Susan Beneville and Sandee Magliozzi

The call for “practice-ready” law graduates is loud and clear. Many legal organizations have criticized the ability of new lawyers to hit the ground running to serve both their clients and their institutions. In response to this call and this criticism, law schools must continue to expand the opportunities for meaningful connections between legal education and law practice — not just for a few students, but for all. These opportunities are necessary if students are to gain the benchmark experiences and skills they need to enter practice. Externships are an essential vehicle for providing these opportunities to a large number of students. An externship program should be structured to help each student maximize his or her professional development.

Externships allow students to engage in actual legal work with a nonprofit organization, a government agency, a law firm, or an in-house legal department. Externships provide diverse practical experiences and a wide range of work assignments that give students exposure to practice areas in which they are interested. Each student is usually paired with an experienced, practicing lawyer who provides supervision, one-on-one instruction, feedback, and evaluation. In addition, most externships provide opportunities for client contact and, often, direct client service. Many programs also require a contemporaneous seminar or online tutorial focusing on practice skills or professionalism. All of this adds to the experiential learning that comes from each student’s personal performance of a job or task and his or her reflection on it. This creates an environment focused on

professional development, propelling each student further along the skills continuum toward practice.

At Santa Clara Law, our vision for our externship programs is to help students leverage their externship opportunities to gain the benchmark experiences and skills they need to bridge the gap to law practice. We focus on aligning the pedagogical purpose of the program with the emerging realities of a legal market where the “ascendancy of skill” is the standard of value. Our program provides a professional development framework utilizing in-class, scenario-based, participatory workshops, work experience, guided reflections, evaluation and feedback, and coaching to integrate skills across field placement courses. We expose students to a broad array of lawyering skills and are working to refine our course content to include a common set of lawyer competencies. We work with students to provide opportunities to assess their skills, set learning goals, and create development plans that facilitate a student’s progression with each externship experience.

The administration of externships and externship course content may be outside the responsibility of many NALP members. However, we believe there is still an opportunity to help students leverage their externships by providing a professional development framework for their experience in relation to the skills they need and the skills legal organizations seek. The first piece of the framework requires students to understand the skills they will need to succeed as lawyers. Law schools

and law firms organize and classify these skills in a variety of different ways, but there are recurring themes in all of these skill lists. At Santa Clara, we have divided the skills into three broad categories: substantive legal skills (knowledge of the law, marshalling the facts, analysis, application of the law, and expression of the law), practice skills (organized by type and practice area — such as interviewing clients, drafting motions, preparing a patent application), and professional skills (“soft skills” including professionalism, communication, ethics, management, leadership, client service, business knowledge, and professional development).

Substantive legal skills are the predominant part of any law school’s curriculum, and practice skills are the obvious focus of most externships, but an externship program should also emphasize the development of professional skills. Our civil practice externship program addresses these skills in sequenced workshops that provide an opportunity to practice skills such as critical thinking, building reputation and relationships, communication, handling mistakes, client service, self and project management, negotiation, time management, and reflective lawyering.

The second piece of the professional development framework is helping students assess what skills they have and what skills they need as well as how to develop those specific skills. We give students tools for skills assessment, setting learning goals and experience benchmarks, self-evaluation, and professional development planning. Using the SMART objective model, students are asked to identify concrete, specific learning objectives that can be achieved within the context and time of their externship. The students are also given tools — reflective time journals, guided reflections, dia-

logues, and feedback strategies — to maximize their experiential learning.

The third piece of the framework is helping students understand all of the methods available for developing these skills: courses and workshops, work experience, evaluation and feedback, coaching and mentoring, and self-study. To the extent possible, we try to identify for the students the many opportunities within the law school that are available — but we also recognize that externships provide tremendous opportunity for skills development using many of these methods.

Career services and professional development offices are often a law school’s most important links to the legal profession, and most offices already have many of the critical pieces needed to build a professional development framework for their externship programs so that students understand how to mine their experiences and leverage their externship opportunities to acquire and hone the skills they will need when they enter the practice of law.

Sandee Magliozzi is the Director of Professional Development and Law Externships at Santa Clara University School of Law. Susan P. Beneville is the founder of Firm Fundamentals, a leading provider of clinical programs and workshops. Susan is also a lecturer for Santa Clara’s Professional Development and Externship Programs. This article was submitted on behalf of the NALP Law Student Professional Development Section.